

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JACK NORTON,

Plaintiff,

-against-

**PROPOSED ORDER TO
UNSEAL CRIMINAL
RECORDS**

21-CV-04884 (FB) (JRC)

CITY OF NEW YORK, MAYOR BILL DE BLASIO; NEW YORK CITY POLICE DEPARTMENT, COMMISSIONER DERMOT SHEA, NYPD CHIEF OF DEPARTMENT TERENCE MONAHAN, NYPD OFFICER JONATHAN WARFIELD, NYPD SERGEANT BILAL ATES; JOHN AND JANE DOES 1-5,

Defendants.

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UPON THE JOINT APPLICATION of the parties for the unsealing of records pertaining to the arrests and summonses of any individuals identified in the Civilian Complaint Review Board Investigation File No. 202003813 that may be sealed and protected from disclosure by New York Criminal Procedural Law §§ 160.50 and/or 160.55;

WHEREAS the information sought is material and relevant to the above-captioned civil action currently pending in the Eastern District of New York, brought by Plaintiff and being defended by the Office of Corporation Counsel; and

WHEREAS the Court has the inherent authority to unseal these records in connection with this action, see, e.g., Schomburg v. Bologna, 298 F.R.D. 138, 141 (S.D.N.Y. 2014) (“Federal courts can and commonly do order production of documents sealed under Section 160.50”);

IT IS HEREBY ORDERED that documents and information pertaining to the arrests and summonses of any non-party individuals, that are contained within Civilian Complaint Review Board Investigation File No. 202003813 that may be sealed pursuant to New York Criminal Procedure Law (“CPL”) §§ 160.50 and 160.55 are unsealed and may be made available for use in this civil action;

IT IS FURTHER ORDERED that any such documents or information unsealed as a result of this Order shall be deemed Confidential within the meaning of the Confidentiality Order in operation in this case and used only for the purposes of prosecuting and defending Plaintiff’s claims in this civil suit.

SO ORDERED.

Dated: September 1, 2022
Brooklyn, New York

S/ James R. Cho

HON. JAMES R. CHO
UNITED STATES MAGISTRATE JUDGE